

CITY OF MILFORD  
REGULAR MEETING  
FEBRUARY 3, 2015  
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 3<sup>rd</sup> day of February at 7:30 pm. Present were: Mayor Dean A. Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Gary TeSelle and City Clerk Jeanne Hoggins. Also present: Kendall Hoggins, Carmen Standley with Marvin Jewell and Emily Hemphill with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Dean Bruha called the meeting to order at 7:37 pm. and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Library Meeting Room.

**MINUTES:** A motion was made by Baker and seconded by Kral to approve the minutes of the January 6, 2015 meeting. Roll call vote: Baker yes, Kral yes, Heckman yes, Fortune yes. Motion carried.

A motion was made by Fortune and seconded by Heckman to approve the minutes of the January 19, 2015 meeting. Roll call vote: Fortune yes, Heckman yes, Kral yes, Baker yes. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Kral and seconded by Heckman that the following accounts payable bills in the amount of \$65,864.29 and payroll in the amount of \$26,631.62 totaling \$92,495.91 approved by the Auditing Committee be approved for payment. Roll call vote: Kral, yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

**SALARIES:**

58421	Mark Frey	39.24
58422	Forrest Siebken	1396.62
58423	Kendall Hoggins	1299.72

58424	Mavis Ferris	62.79
58425	Jeanne Hoggins	1414.38
58426	Gary TeSelle	860.56
58427	Rob Hull	1217.03
58428	George Matzen	775.41
58429	Jenna Filbert	168.53
58430	Ben Rediger	1123.20
58431	Erica Pallas	783.59
58432	Kile Jackson	1224.26
58433	Scott McNeil	1001.63
58434	Sarah Long	59.10
58435	Craig Carritt	18.47
58436	Jessica Wang	62.79
58437	Jeff Troyer	925.54
58438	Sarah Heliker	254.03
58439	Shannon Stone	171.62
58492	Mark Frey	300.99
58493	Forrest Siebken	1396.62
58494	Kendall Hoggins	1183.93
58495	Mavis Ferris	77.57
58496	Jeanne Hoggins	1414.38
58497	Gary TeSelle	860.20
58498	Rob Hull	1026.50
58499	Bryce Johnson	184.70
58500	George Matzen	775.41
58501	Jenna Filbert	260.26
58502	Ben Rediger	1018.87
58503	Craig Corder	184.70
58504	Erica Pallas	882.33
58505	Kile Jackson	983.66
58506	Scott McNeil	773.78
58507	Sarah Long	125.60
58508	Craig Carritt	33.25
58509	Jessica Wang	156.99
58510	Jeff Troyer	855.90
58511	Sarah Heliker	168.84
58512	Marilu Fichtner	508.73
58516	Rick Fortune	138.52
58517	Dean Bruha	184.70
58518	Jeff Baker	138.52

**GENERAL FUND:**

58416	McKensie Dexter- Refund	31.83
58417	Brandy Grossart- Refund	60.73
58418	Jacob Volker- Refund	48.45
58419	US Postmaster- Utility Postage	321.71
58440	Retirement Plans Division-Pension	1607.76
58441	Kansas Payment Center- Child Support	230.31
58442	Union Bank-HSA	533.00
58443	American Water Works Assoc.- Membership Fee	74.00
58444	Aramark- Pants & Rags	1020.36
58445	ASCAP- License Fee	335.00
58446	AT&T- Library Long Distance	27.52
58447	ATCO International- Devour Degreaser	2205.00
58448	Barco Municipal Products, Inc.- Barricade Sheet	274.62
58449	Black Hills Energy- Service for December	1011.20
58450	Canon Financial Services- Contract Charge	279.40
58451	Canon Solutions America- Copies	175.79
58452	Consolidated Management Co.- Meals McNeil	65.50
58453	Eakes Office Solutions- Calculator, Tabs, Stamps	157.43
58454	Emergency Medical Products, Inc.- Collars, Sheets	429.89
58455	Erica Pallas-Mileage to Ceresco/ Seward	58.52
58456	Farmer's Cooperative- Fuel for Dec.	942.08
58457	Hotsy Equipment Co.- Washer Repairs	355.43
58458	John Deere Financial- Saws & Snow Removal Repair	751.27
58459	JR Welding- Tractor Blade Repair	487.21
58460	Kendall Hoggins- Shelf Material, Tape Measures	241.93
58461	Matheson Tri-Gas, Inc.- O2 & Air Bottle Rent	96.72
58462	Milford Valu Rite Pharmacy- Glucose Meter	100.79
58463	NE Dept of Env. Quality- Sewer Training-Ben	125.00
58464	Nebraska Motor Parts Co.- Keys, Repairs, Supplies	213.65
58465	Nebraska Public Power District- Service for Dec.	5265.02
58466	Newman Traffic Signs-Stop Signs, Freight	353.69
58467	One Call Concepts- One Calls	22.25
58468	Overhead Door Co. of Lincoln- 6 Gar. Door Remotes	175.00
58469	Pac-N-Save Milford- Paper Towels, Food	138.87
58470	Pizza Kitchen- Birthday Meals	227.50
58471	Racom Corporation- Remote Mic for Portable	135.00
58472	RecycleLink- Recycle Service	36.00
58473	Rediger Automotive- Battery Check & Oil Change	55.87
58474	Sam's Club- Membership Renewal	135.00
58475	Seward Co Public Power Dist.- Wells 1&2	372.07
58476	Seward County Independent- Legals, Notice	305.89

58477	Seward Lumber- Fence Supplies	13.49
58478	Shell Fleet Plus- Gas for Shuttle Car	34.05
58479	Sunrise Country Manor- Meals for December	504.00
58480	Too Fast Supply- Gloves, Safety Glasses	185.88
58481	Uribe Refuse Services, In.- Trash Service	96.00
58482	Verizon Wireless- Cellphone	50.08
58483	Verizon Wireless- P- Cellular	105.90
58484	Vic Weber- Refund H2O Overpayment	139.88
58485	Waste Connections of NE- Trash Service Dec.	125.23
58486	Windstream- Service for Dec.	610.51
58487	Aflac- Dis, Cancer, Suppl, Acc.	380.83
58488	American Legal Publishing Corp- Updating Codes	670.00
58489	Co Opportunity Health Group- Health Ins 2/1/-2/28	6256.60
58490	Dearborn National Life Ins Co- Life Insurance	116.96
58491	Forrest Siebken- Part-Time Bades, Sata Power Cable	261.66
58513	Retirement Plans Division-Pension	1607.76
58514	Kansas Payment Center- Child Support	230.31
58515	Union Bank- HSA	533.00
58524	Aloha Roth- Birthday Cake	40.00
58525	Baker & Taylor- Books	69.81
58526	Black Hills Energy- Service for Jan.	321.64
58527	Blevens Law Office- Legal Services for Jan.	350.00
58528	Blue Cross & Blue Shield- Dental Feb 2015	459.19
58529	Card Service Center- Stamps.Com, Late Fees	340.99
58530	Petty Cash- Thank You Card, Postage	7.77
58531	Consolidated Management Co.- Meals- McNeil	176.50
58532	Culligan Water Conditioning- Cooler Rent	67.25
58533	Lifetime Benefit Solutions- Vision Ins. Jan 2015	91.09
58534	George Matzen- Magazine Subscriptions	288.63
58535	Heiman Inc.- Extrication Gloves	497.46
58536	Hotsy Equipment Co.- Truck Cleaner	86.85
58537	Hydraulic Equipment Service- High Ranger Repairs	230.84
58538	Kelly Supply Company- Fittings and Supplies	27.38
58539	Midwest Radar & Equipment- 3 Radar Certs	120.00
58540	Midwest Service & Sales Co.- Sign Posts, Bases	937.50
58541	Milford Plumbing Inc.- 30" Supply Line	20.50
58542	Milford School Dist. #5- Parking Fines	75.00
58543	Nebraska Public Health- Coliform, Nitrate	142.00
58544	Nebraska Public Power District- Service For Jan.	1890.27
58545	State of NE Dept of Labor- Unemployment	1680.00
58546	Card Services- Chop Saw, Bulbs for Heat Lamp	279.36

58547	Reader Service- Books	12.99
58548	SCC- Diesel Production- Unit 40 Repairs	179.65
58549	Seward County Communications- Milford 4%	21759.00
58550	Shell Fleet Plus- Fuel	498.06
58551	Troyer Tree Clearing- Skid Steer Rental	255.00
58552	Gary TeSelle- Medicare	388.50
58553	Upstart- Summer Reading Program	303.59
58554	Uribe Refuse Services, In.- Garbage Pick Up	37.00
58555	Verizon Wireless- Cell Phones	95.46
58556	Verizon Wireless- Well Control Monitor	40.01
58557	Vi Stutzman- Reimburse for Coffee Pot	85.47
58558	Voss Lighting- Light Bulbs	150.00
58559	Walmart- Vacuum Parts, Supplies	442.21
58560	Windstream Nebraska Inc.- Service for Jan	180.25
58561	Zito Media- HD Digital	3.67

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Milford Housing Authority minutes for January 15, 2015; Milford Aging Services Committee minutes for January 27, 2015; Library Board minutes for November 18, 2014; Planning & Zoning minutes for January 29, 2015; Recreation Board minutes for January 21, 2015; Police Dept. activity report for November and December, 2014; Fire Dept. Rescue NARSIS Report and Fire Report for January and beginning of February 2015; Building Inspector Report for January 2015. Baker attended the Recreation Board meeting and discussion was held relating to the City taking over the AYSO soccer program. We are waiting for an answer from AYSO as to whether they will allow us to buy their equipment or if the City needs to purchase all new goals and balls etc... Erica will be shadowing the spring soccer program to prepare and gain knowledge for the fall soccer season. Baker also attended the Milford Aging Services Commission meeting and noted that the new Director, Marilu Fichtner is transitioning very well. There was an issue with over scheduling the building so they are developing policy and procedure for building rental. There is a SCEDC meeting on February 16<sup>th</sup>, if anyone is interested in attending. Kral reported 16 rescue calls and 3 fire calls which one was a false alarm. The Building Official reported 25 inspections for January 2015. The maintenance dept. has done a very good job removing snow from the streets. TeSelle – The Maintenance Dept. completed their NIMS training. He has been communicating with the RR regarding work which will start in May. Tree trimming went well. There was an issue with the water tower which over flowed. All the sample sites for water have been approved. Pot holes are filled. Elementary had a big 4” water main break. All the trouble areas with

the sewer lines have been jetted. Gary hired a contractor for additional help with snow removal. Discussion was held regarding creating an ordinance to keep people from blowing/pushing snow into the streets. Chief Siebken – monthly activity report for November and December 2014 was submitted with corrections. Considering new digital Tasers as the current ones are outdated. McNeil is in his 4<sup>th</sup> week of training. People are cooperating better with this snowfall as only 7 vehicles had their tires chalked compared to 30 last snowfall. Chief has been invited to sit on the Blue Valley Animal Rescue Society. This group may be making a presentation to the Council regarding housing of animals within Seward County. Heckman – we will be advertising for pool employees in February. He completed his NIMS training as well. Scheduling our first Community Betterment Committee meeting for next week. Hoggins reported the reimbursable mileage rate for officials and employees will change to 57.5 cents per mile as of January 1, 2015. Our website designer Ashley Cameron submitted a proposal for web maintenance, reporting and her hourly rate for services rendered for the next year. Hoggins would like to accept the proposal for the first year to keep our website up-to-date.

**COMMUNICATIONS:** \*Sales tax received for the month of November 2014 in the amount of \$13,192.11.

**PUBLIC HEARING:**

**One & Six Year Plan:** Mayor Bruha opened the Public Hearing at 8:05 pm. Clerk Hoggins explained that she had not received any information from JEO regarding the One & Six Year Plan, like she has in the past. Last month Troy Johnston reviewed the plan and the only change was to consider phases with the Welch Park road repairs. With no further comments Mayor Bruha closed the Public Hearing at 8:06 pm.

**Amend the Milford Zoning regulations to change required Lot Area in Transitional Ag Zoning District (TA) from 5 acres to 3 acres:** Mayor Bruha opened the Public Hearing at 8:07 pm. Discussion was held at the January 29<sup>th</sup> Planning and Zoning meeting. Kendall Hoggins informed the Council that he had 2 individuals contact him about splitting the lot they had purchased when the required acres for TA was 3 acres. They purchased the acreage with the intention of splitting it and now that we have changed the requirement to 5 acres they are unable to do so. Kendall researched several entities and was encouraged by Seward to leave it at 5 acres due to availability of space to replace a leach field if necessary. The Planning & Zoning Committee recommended leaving the acre requirement in Transitional Ag at 5 acres. With no further comments Mayor Bruha closed the Public Hearing at 8:08 pm.

## **UNFINISHED BUSINESS:**

**Discuss/Action – Train Horn/Silence Crossing:** Item Tabled

**Discuss/Action – Inspection of Rental Properties:** Attorney Blevens sent Kendall a copy of the International Property Maintenance Code. He hasn't had time to look thru it completely and asked to table the item until next month. Fortune commented that some of the concerns are just common sense. There's a lot more to this than just creating an ordinance. If someone appeals a decision, then we have to create an additional board to hear and make judgment on the appeal. He questioned whether we could find a board with that kind of knowledge. Fortune would like to try and deal with these issues with the ordinances we already have in place. Kendall noted that the State Fire Marshall would make inspections for us if we contacted him. Mayor Bruha stated we could look at this again next month if the Council so chooses.

## **NEW BUSINESS:**

**Audit Report 2013-2014, Carmen Standley, Marvin Jewell & Co.:**

Carmen spent some time going over the 2013-2014 financial statements. The State required some additional documentation adding more clarity to the report. The financial statements of the governmental activities and business-type activities present fairly. The City of Milford is in a strong financial position. The Mayor and Council thanked Carmen for her attendance.

**Introduction and Adoption of Resolution – One & Six Year Plan:** Item tabled as information from JEO was not made available.

**Re-appointment:** A motion was made by Baker and seconded by Kral to approve the Mayor's recommendation to reappoint Rosalie Huss to the Milford Aging Services Commission for a 2<sup>nd</sup> term, expiring 1/1/17. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

**Recommendation to the City Council – Amend the Milford Zoning Regulations to change required Lot Area in Transitional Ag Zoning District (TA) from 5 acres to 3 acres:** A motion was made by Heckman and seconded by Kral to not change the required lot area of 5 acres to 3 acres in the Transitional Ag Zoning District. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

**Discuss/Action – lot between Dave Williams and Gerry Boden, Larry Jantze:** Larry is interested in building on the vacant lot between Williams and Boden. He did not have his information ready to present to the City Council. We will wait for Larry Jantze.

**Discuss/Action – Sewer easement east of Welch Park Rd., Larry Jantze:** Waiting for Larry Jantze on this issue as well.

**Main Street Program – Application Fee:** A motion was made by Heckman and seconded by Fortune to pay \$250.00 toward the main street

program application fee. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

**Discuss/Action – Change Employee Health Insurance:** With the demise of Co-Opportunity Health Insurance the city employees met with Dana Troske to research their options. Dana presented coverages from BC/BS, Coventry and United Healthcare. After reviewing all the plans the employees decided to go back to BC/BS. Dana then provided eight different options: 4 HSA and 4 PPO plans for the employees to review. The employees met and chose Option 2 of the HSA plans. The group premium is 8% higher than the current Co-Opportunity plan but \$100.00 less per month from the BC/BS premium in which we were paying in 2013-2014. At the time we switched from BC/BS to Co-Opportunity, BC/BS was anticipating a 37% increase. Clerk Hoggins recommended to the City Council the approval of switching to the BC/BS plan, Option #2, 204 Silver HSA. A motion was made by Kral and seconded by Baker to change health insurance coverage as of March 1, 2015 to the 204 Silver HSA Plan, Option 2 on the sheet provided. Heckman noted that the time is coming when the employees will need to pay a portion of the premium for health insurance. Roll call vote: Kral yes, Baker yes, Fortune yes, Heckman yes. Motion carried.

**Discuss/Action – Addendum to bid for Sr. Center drainage repairs:** The addendum was received from Central Contracting Corp. and Baker questioned if the neighbors to the west are going to be willing to work with us on this drainage problem. Hoggins noted there was some resistance but thought they might be willing to sit down and discuss the situation. Baker noted that combining the cost of both projects puts it over the bid limit requirement. Kral mentioned if we don't have to pay for the entire project than it won't be over. We didn't have this problem until someone put up a gable building next door to the Sr. Center. We shouldn't have to pay for the entire project. Kral stated that we need to push that issue and if necessary we go to court. Baker noted that we allowed them to build it and our previous building inspector signed off on it. Kral noted the drainage is still their responsibility. Maybe we can be good guys and participate with them but we sure don't owe the whole cost. It's time we step up and deal with it. The cost for the repairs to the west side of the Sr. Center is \$26,615.00. The cost for the north, east and south side repairs are roughly \$9,000.00, which do not involve the neighbor to the west. Baker asked Blevens if he was willing to facilitate a meeting with the owners of the building to the west. Blevens said he would. Baker would like to proceed with the north, east and south sides which have already been approved.

**Discussion – Changes in C-1 Zoning District regarding building type:** Kendall reported that the Planning & Zoning group did not come up with

any definite answers regarding building or roof type in the C-1 Zoning District. They did agree that all buildings should have a brick facade on all street sides. Hoggins is suggesting that if a metal building is constructed downtown that a 5' setback is required for drainage which is the same in residential areas. He also questioned creating a specific fire rating in C-1. Fire protection is the key. Heckman did not want to see setback requirements along First Street. The building site that was discussed is along B Street and Fortune did not think a setback in this area was a concern. The roofline would drain to the alley and there is adequate slope to take the water to the storm sewer. The Council would like the P & Z to discuss this concern a little bit further.

**ADJOURNMENT:** A motion was made by Heckman and seconded by Fortune to adjourn the meeting. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried and meeting adjourned at 9:37 pm.

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Jeanne Hoggins, City Clerk

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Dean A. Bruha, Mayor

#### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on February 3, 2015 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

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Jeanne Hoggins, City Clerk